



DEPARTMENT OF THE NAVY
COMMANDER CARRIER STRIKE GROUP EIGHT
9756 DECATUR AVENUE SUITE 100
NORFOLK VA 23511-3229

5720
Ser N02/044
May 11, 2017

Sakina Spears
2335 Reservoir Ave.
Norfolk, VA 23504

Dear Mrs. Spears:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST (DON-NAVY-2017-004494)

Thank you for your Freedom of Information Act (FOIA) request of March 11, 2017, in which you requested copies of a United States Fleet Forces Command (USFFC) Inspector General complaint you filed in 2012, supporting documentation, and any reports related to harassment or abuse by a Senior Chief on board USS GRAVELY (DDG 107). Your request was processed under applicable provisions of the FOIA (5 U.S.C. § 552) and the implementing Department of the Navy directive, SECNAVINST 5720.42F. Accordingly, your request was assigned case number DON-NAVY-2017-004494. There are no fees associated with the processing of this request by this office.

Your request was forwarded to our office by USFFC on March 29, 2017, for release of documents under the cognizance of Commander, Carrier Strike Group EIGHT (CCSG-8). Upon receipt, we initiated a diligent physical and electronic search at this command, as well as on board GRAVELY and at Carrier Strike Group TWO, which commanded GRAVELY in 2011. We regret the unfortunate delay in this response and any inconvenience it may have caused.

Despite the likelihood of destruction of some records due to the passage of time and Navy records management practices, we did locate some responsive documents. It appears that the Inspector General contacted USS GRAVELY in 2012 about the Senior Chief's conduct. I surmise that the Inspector General closed its file after receiving a response from the Commanding Officer on April 23, 2012. That message and the command inquiry are enclosed.

The enclosed responsive documents, which total 28 pages, are being released to you pursuant to the FOIA (5 U.S.C. § 552). However, portions of the documents being released contain material exempted from disclosure under the FOIA. Because the documents provided contain private information about third parties that, if released, would constitute a clearly unwarranted invasion of their personal privacy, that private information has been redacted from the released documents under the FOIA exemptions of 5 U.S.C. § 552 (b)(6) and (b)(7)(C). In the course of our records search, we also discovered paperwork from May, June, and July of 2013, regarding certain disciplinary and administrative actions taken against the Senior Chief who was the subject of the 2011 command inquiry. I am not at liberty to release those documents or provide you with additional detail about those actions, because personnel records of another servicemember are exempt from disclosure under the FOIA in their entirety under 5 U.S.C. § 552 (b)(6) and (b)(7)(C). I am the official responsible for these determinations.

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Further, we have determined that if any personnel records pertaining to you still exist, they are no longer in the possession and control of the Navy, but may be maintained by:

National Personnel Records Center (NPRC)
Military Personnel Records Branch
1 Archives Drive
St. Louis, MO 63132-5100

Information on how to file a request with NPRC can be found at this web address:
<https://www.archives.gov/st-louis/military-personnel>.

Because your request is partially denied by redactions of information exempt from disclosure, you are advised of your right under the cited FOIA statute and Department of the Navy Regulations to appeal my determination to:


Office of the Judge Advocate General (Code 14)
1322 Patterson Avenue SE, Suite 3000
Washington Navy Yard, Washington, DC 20374-5066

Your appeal must be postmarked within ninety (90) calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION ACT APPEAL" both on the envelope and on the face of the letter. To expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial decision to be in error.

You also have the right to seek assistance and/or dispute resolution services from the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at christopher.a.julka@navy.mil or 703-697-0031.

Please contact me, Commander Brent Troyan, Judge Advocate General's Corps, U.S. Navy, Staff Judge Advocate for Carrier Strike Group EIGHT, directly by phone at 757-341-7022 or by e-mail at brent.troyan@navy.mil, if you have any questions regarding your request.

Sincerely,


B. TROYAN
Commander,
Judge Advocate General's Corps,
U.S. Navy,
Staff Judge Advocate
By direction of the Commander

Enclosures: 1. USS GRAVELY Preliminary Inquiry into Sexual Harassment Allegations
2. USS GRAVELY E-mail Letter of April 23, 2012